

## **6.02.00.00 - OWNERSHIPS, PARCELS, SUBPARCELS**

### **6.02.01.00    General**

Definitions and numbering of ownerships and State requirements from ownerships are covered in the following Sections. Under these definitions, the terms "ownership" and "parcel" are synonymous as far as count is concerned. The number of parcels and number of ownerships in a project will be equal. This will allow early estimates and an accurate parcel count on any specific project. As "parcel" will be used as a production control unit, the amount of work on a project can be closely estimated by an ownership count, which is possible prior to the final establishment of right of way.

### **6.02.02.00    Definitions**

#### **6.02.02.01    Ownership**

- A. An ownership is any area of land that meets all of the following four requirements:
  - 1. Unity of title.
  - 2. A single perimeter.
  - 3. Not separated by a city street or alley, county road, or State highway (fee, easement or prescriptive right).
  - 4. Totally within one R/W EA.
- B. Specific exceptions to definitions of ownership are:
  - 1. Government Agencies--Properties under control of separate agencies of the same governmental body will be considered separate ownerships.
  - 2. Long-Term Leases--Where property is historically or customarily developed on the basis of long-term leases, such as subdivisions in the Irvine Ranch, the leaseholds will be considered as separate ownerships.
  - 3. Permits for Homesites on Federal Land--Rights of occupancy in National Forests or National Park Lands, as covered in Section

104.4 of the Streets and Highways Code, will be considered as separate ownerships.

- 4. Undeveloped Subdivisions--If a vesting is in a subdivision or tract in which the roads have not been improved or in which lots have not been sold individually, the subdivision streets and alleys will not be considered as dividing the ownership.

NOTE: Lands held by or for individual Indians or tribes under the various classes of Indian Lands each constitutes a separate ownership, as defined by the Bureau Of Indian Affairs, Department Of The Interior.

#### **6.02.02.02    Parcel**

A parcel is all of the rights and interests from an ownership, as defined above, which are required for certification of the project and which will be acquired by condemnation, if negotiations are unsuccessful. Excluded from the condemnation requirement are certain public lands which by law or policy will not or cannot be condemned but would be, if otherwise permitted. It should be recognized that "parcel", as defined in State's agreements with title companies, differs considerably from "parcel" as defined herein and is used only as a basis of paying for title company services.

Parcel identification as defined in this section will not affect existing practice of dividing or combining land areas for condemnation resolution or trial purposes.

#### **6.02.02.03    Subparcel**

A subparcel is each additional separate segment or degree of title of a parcel. It is the intent of the definition of the term "subparcel" that it apply only where two or more areas or interests are required by the State from an ownership. Subparcel does not apply to encumbrances that must be eliminated to perfect title.

- A. The following are examples of subparcels:
  - 1. Separate segments of fee required by State.

2. Permanent or temporary easements for highway purposes such as slope, drainage, scenic, retaining wall, detour, or construction easements.
3. Fee, permanent easements, and temporary easements, to be appraised or acquired in the name of the State or in the name of a third party for exchange purposes or under cooperative agreement. This includes acquisitions for sewer, storm drain, gas, water, electricity, pipeline, or ingress and egress.
4. Access rights when entirely separated from other right of way requirements.

B. The following are examples of interests that are not subparcels:

1. Excess land.
2. Remainders.
3. A separate use or zoning.
4. Interests in property that consist of encumbrances that must be cleared, such as overlying easements of an adjoining property owner, a lease, a utility easement, a mining claim, a mortgage, or a deed of trust.
5. Oil and mineral rights.
6. Permits to enter and construct (rights that would not be condemned).
7. Appurtenant easements.
8. Underlying fee in a public road. (It may be described separately in resolutions of necessity.)
9. An option of all or a portion of a parcel.

See Exhibit 6-2 for an example of parcel, subparcel and encumbrance numbering.

#### **6.02.03.00**    **Numbering**

#### **6.02.03.01**    **Ownership**

When it is determined that property rights will be required from an ownership, an identifying number without a suffix can be assigned. The number

assigned can then be used in the early stages of project development. Preliminary mapping, hard copies or base maps, title report orders, files, correspondence, and property surveys will carry this assigned number prior to the time parcel requirements are established.

An ownership having only appurtenant rights lying within the State's requirements will be assigned a parcel number when a separate title report, appraisal, and escrow are required. Otherwise, appurtenant rights will be considered as an encumbrance on the servient tenement. Determination of requirements affecting appurtenant rights normally occurs in the appraisal stage. It is the Appraisal Section's responsibility to initiate necessary action to establish such requirements as parcels.

#### **6.02.03.02**    **Parcel**

Each primary right of way requirement shall have the identical number as the ownership of which it is all or a portion and shall have the suffix "-1" added.

#### **6.02.03.03**    **Subparcel**

Each secondary right of way requirement, or subparcel, will be identified by a dash and numerical suffix following the parcel number.

#### **6.02.03.04**    **Non-Right of Way Parcels**

Properties required for office buildings, shops, maintenance station sites, mitigation sites, park and ride sites, disposal, and material sites follow the same rules of numbering as for right of way requirements.

#### **6.02.03.05**    **Cancellations**

If any parcel or subparcel is found to be no longer required, its number should be canceled and not reused. The Division shall be advised by memorandum if the parcel or subparcel is included in an appraisal which has been submitted to the Division. Said memorandum is the responsibility of the Appraisal Branch.

#### **6.02.03.06**    **Additional Requirements**

A parcel is closed upon recordation of the basic acquisition document. Additional right of way requirements from an ownership after the parcel is closed require the assignment of a new parcel number and treatment as a new acquisition.

#### **6.02.03.07**     **Ownership Splits**

When an ownership is divided by sale in such a manner that the parcel is divided, the remainder of the ownership will retain the original number. The parcel from the new ownership created by the split will be assigned a new number. An ownership split is created when a portion is covered by a valid contract of sale.

#### **6.02.03.08**     **Ownership Mergers**

No change in numbering will be made when a merger of ownerships is discovered after transmittal of final appraisal maps from R/W Engineering to the Appraisals Branch when used in the initial appraisal of the parcel. If discovered prior to such transmittal, the new ownership will assume one of the previously assigned numbers and R/W Engineering will cancel the other number.

#### **6.02.03.09**     **Combining Parcels for Appraisals and Acquisition**

In certain cases when two or more parcels, as defined herein, are in one vesting, it will be desirable to appraise and acquire them together. In such cases, the "larger parcel" concept will apply, and the parcels will be combined for appraisal, considering the unity of use, unity of title and contiguity. However, the parcels will retain their identity and numbers in the appraisal and throughout the acquisition process.

Work accomplishment will be based upon parcels appraised or closed, regardless of how they are combined. Appraisals or transactions consisting of multiple parcels should be so designated and credited by the number of parcels involved.

When parcels are so grouped for appraisal purposes, the lowest parcel number will be used as a primary number and the other parcel numbers placed in parentheses as a suffix to the primary number, i.e., 9053 (9054,9055,9060, etc.).

#### **6.02.04.00**     **Excess Land Numbering**

Excess land parcels shall be identified, numbered and shown on the appraisal map or R/W record map at the earliest possible date. R/W record maps, appraisal maps, and all excess land mapping shall show up-to-date excess land parcel numbers. R/W Engineering shall take the initiative on coordinating identification of excess with other R/W Branches and

Project Development so mapping changes can be kept to a minimum.

#### **6.02.04.01**     **Excess Land Parcel Numbers**

Excess land parcel numbers consist of a maximum six-digit alpha/numeric ownership number (parent parcel number), a two-digit unit number, and a two-digit item number. (All new ownership numbers shall be numeric.) The total excess land parcel number must be unique in each District.

Excess land parcel numbers consist of three parts:

##### **A. Parent Parcel Number (Ownership Number)**

The parent parcel number is the ownership number as defined in Section 6.02.03.01.

##### **B. Unit Number**

The unit number is always a two-digit number (01-99) and designates individual fee excess land parcels acquired from the same ownership. The first, or a single excess land unit, is number 01, additional units being 02, 03, etc. An alpha unit number now in the Excess Land Inventory need not be changed to numbers, but new unit numbers must be numeric.

##### **C. Item Number**

The item number is the numeric (01-99) designation of each conveyance out of an excess land unit.

Exhibit 6-2 contains examples demonstrating various parcel numbering situations. This parcel numbering shall appear on appraisal maps, record maps, and all excess land mapping. Remainder (REM) is shown on some of the examples to indicate remainders. This need not be shown on the actual mapping.

See Exhibit 6-8 for definition of non-inventory excess land parcels along with procedures to follow in numbering maps and documents.

#### **6.02.04.02**     **Cross-Reference Parcel Number**

When an existing excess land parcel number is not compatible with the 10-digit excess parcel number system, the old number (up to 15 spaces; i.e., a 12345-1.2a equals 11 spaces) may be entered into the computer on the Inventory Data Form as the "cross-reference parcel number". A "new" number, i.e.,

XXXXX, will be entered in the parent parcel number field with the appropriate unit and item numbers. This "new" or "dummy" number shall be entered on the R/W record map and on the Director's Deed map and document.

#### **6.02.04.03**      **Director's Deed Numbering**

R/W record maps and maps accompanying Director's Deeds shall show both excess land numbers and Director's Deed numbers. The Director's Deed number is an excess land number preceded by a DD, DE, or DK, depending on the type of title being conveyed. "DD" is for conveyance of fee; "DE" is for conveyance of an easement; and "DK" is used for Director's Quitclaim Deeds. If two or more parcels of excess land are combined for a single conveyance, the Director's Deed will be numbered using the lowest excess land number. It will not be necessary to show other excess land numbers on the Deed, but must be shown on the record map and Director's Deed map.

#### **6.02.05.00**      **Title Reports**

The term "title reports", for purposes of this Chapter, also includes reports titled "Condemnation Guarantees" and/or other reports issued by a title company.

Title reports shall be required for all parcels except the following:

- A. Isolated parcels having a land value of \$2,500 or less which do not involve access rights or improvements. In these cases, where the cost of the title report may exceed or equal the value of the parcel, reliance may be made upon the District's investigation of the condition of title as determined from county assessors' and recorders' records and other appropriate sources of title information.
- B. In cases involving donations of unimproved land the District may dispense with title reports. See also Chapter Eight, Acquisition.
- C. U.S. Government land controlled by either the Bureau Of Land Management, Bureau Of Reclamation, Department Of Indian Affairs, U.S. Forest Services, U.S. military reservations or other government agencies.

- D. All land owned by the State (not including Cal-Vet loan property vested in the State) such as State school lands or lands under the jurisdiction of CALTRANS, Department Of Parks And Recreation, etc.

For those cases involving Items C and D above, a CALTRANS employee will prepare a report titled "Certificate Of Title" (Form RW 8-14), containing the same information as would normally appear in a title report. The certificate will be signed by the District Title Officer, District R/W Engineer, or DDD, R/W.

If, in the opinion of the District, special circumstances warrant securing of title reports regardless of low appraised valuations on parcels of vacant land or other items cited above, title reports may be secured, but an effort to economize in such cases should be made.

Title reports are used by R/W in the preparation of the following:

- A. Legal Descriptions for Deeds.
- B. R/W Contracts.
- C. Memoranda Of Settlement.
- D. Resolutions Of Necessity.
- E. Right Of Way Schedules.
- F. Liability determination for utility relocation.

**NOTES:**